

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

| | | |
|------------------------|---|----------------------|
| ANTHONY MAURICE DAVIS, |) | |
| Register No. 1115675, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 05-4066-CV-C-NKL |
| |) | |
| JANET EXINDINE, |) | |
| |) | |
| Defendant. |) | |

ORDER

On December 27, 2005, the United States Magistrate Judge recommended that defendant's motion to dismiss be denied. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that defendant's motion of October 14, 2005, to dismiss for failure to state a claim is denied [17].

/s/ _____

NANETTE K. LAUGHREY
United States District Judge

Dated: February 3, 2006
Jefferson City, Missouri